

REMARKS

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103 or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 1, 9, 15, 16, 17, and 22 have been canceled. Claims 3, 4, 19, and 21, and amended claims 2, 5-8, 10-14, 18, 20, and 23-28 are in this application.

The Examiner indicated that the status of each new claim in the present application must be indicated and that a statement disclosing where the claim is supported in the disclosure. In the present Amendment, the status of each claim is provided. Further, it is respectfully submitted that there is support for the new claims in the present application. See, for example, lines 19-21, 39-41, 58-67 of column 3, and lines 44-46 and 48-50 of column 4 and the Abstract of the present application.

Claims 1-21 and 23-28 were rejected under 35 U.S.C. 102(e) as being anticipated by Robell (5,673,489).

Independent claim 8 as presented herein recites in part as follows:

“wherein said number of marks are arranged in first and second sets of substantially parallel lines in which the lines of the first set have **a first distance of 2 inches or less** therebetween and run in a first direction and are placed from a first end of said panel to a first

opposite end thereof in a direction transverse to the extent of said lines of said first set and in which the lines of the second set have a second distance of 2 inches or less therebetween which is different from said first distance..." (Underlining and bold added for emphasis.)

It is respectfully submitted that Robell as applied by the Examiner does not disclose the above features of claim 8. Accordingly, it is believed that claim 8 is distinguishable from Robell. For similar reasons, it is also believed that amended independent claims 18 and 20 are distinguishable from Robell. Claims 2-7, 10-14, 19, and 21 are dependent from one of amended independent claims 8, 18, and 20 and, due to such dependency, are also believed to be distinguishable from Robell.

Claim 23 recites in part as follows:

"wherein said number of marks are arranged in substantially parallel lines having a distance which has any value up to 2 inches therebetween and in which said lines are placed from one end of said panel to an opposite end thereof in a direction transverse to the extent of said lines." (Underlining and bold added for emphasis.)

Accordingly, in claim 23, the parallel lines may have a distance "which has any value up to 2 inches therebetween." As such, these parallel lines may be spaced apart by a value such as 0.739 inches, 1.29 or 1.839 inches.

Robell, on the other hand, which is specifically related to "methods and devices for accurately cutting construction materials" (see lines 12-13 of column 1), describes a grid measurement system 2 for use with building materials. The grid measurement system 2 of Robell appears to only have commonly used measurement units (such as one-fourth of an inch, one-half of an inch, one inch, etc.) which are precisely located. (See, for example, lines 42-46

and 52-55 of column 3 of Robell.) As a result, grid measurement system 2 of Robell can not use “any value” up to 2 inches. Instead, grid measurement system 2 of Robell must use only commonly used measurement units.

Therefore, it is respectfully submitted that claim 23 is distinguishable from Robell. For similar reasons, it is also respectfully submitted that independent claims 24-28 are distinguishable from Robell.

Claim 22 was rejected under 35 U.S.C. 102(b) as being anticipated by Putz (4,858,402). Claim 22 was rejected under 35 U.S.C. 103(a) as being unpatentable over Robell (5,673,489). As previously indicated, claim 22 has been canceled herein.

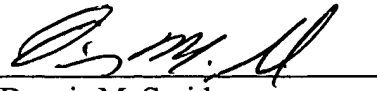
Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned **“Version with markings to show changes made.”**

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicant’s undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response to Deposit Account No. 50-

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Respectfully submitted,
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“VERSION WITH MARKINGS TO SHOW CHANGES MADE”
IN THE CLAIMS

Please amend the claims as follows:

1. (Canceled)
2. (Currently Amended) A panel according to claim 8 ~~1~~, wherein marks of a the first set ~~and second sets~~ of lines each have a first characteristic and ~~marks of a second set of lines~~ ~~have a second~~ characteristics ~~characteristic in which each of a plurality of lines in said second set~~ ~~is adjacent on either side to a line in said first set.~~
3. (Original) A panel according to claim 2, wherein the first characteristic is a first color and the second characteristic is a second color.
4. (Original) A panel according to claim 2, wherein the first characteristic is a solid line and the second characteristic is a dotted line.
5. (Currently Amended) A panel according to claim 8 ~~1~~, wherein said panel is a piece of gypsum board.
6. (Currently Amended) A panel according to claim 8 ~~1~~, wherein said panel is one of plywood, plyscore, and particle board.

7. (Currently Amended) A panel according to claim 8 ~~1~~, wherein said distance has a value of 1 inch or less.

8. (Currently Amended) A relatively thin frame covering panel adapted to be attached to a number of supports, said panel having at least two sides in which at least one of said sides includes a number of marks for facilitating the attaching of said panel to said number of supports, wherein said number of marks are arranged in first and second sets of substantially parallel lines in which the lines of the first set have a first distance of 2 inches or less therebetween and run in a first direction and are placed from a first end of said panel to a first opposite end thereof in a direction transverse to the extent of said lines of said first set and in which the lines of the second set have a second distance of 2 inches or less therebetween which is different from said first distance and run in a second direction perpendicular to said first direction and are placed from a second end of said panel to a second opposite end thereof in a direction transverse to the extent of said lines of said second set.

9. (Canceled)

10. (Currently Amended) A method ~~panel~~ according to claim 20 ~~9~~, wherein said panel is a piece of gypsum board.

11. (Currently Amended) A ~~panel~~ method according to claim 20 ~~9~~, wherein said panel is one of plywood, plyscore, and particle board.

12. (Currently Amended) A ~~panel~~ method according to claim 20 9, wherein marks of a the first and second sets ~~set~~ of lines each have a first and second characteristics.

13. (Currently Amended) A ~~panel~~ method according to claim 12, wherein the first characteristic is a first color and the second characteristic is a second color.

14. (Currently Amended) A ~~panel~~ method according to claim 12, wherein the first characteristic is a solid line and the second characteristic is a dotted line.

15. (Canceled)

16. (Canceled)

17. (Canceled)

18. (Currently Amended) A relatively thin frame covering panel adapted to be attached to a number of supports, said panel including a side having a number of marks arranged in first and second sets of substantially parallel lines in which one or more of said lines is adapted for facilitating the attaching of said panel to said number of supports, in which the lines of the first set have a first distance of 2 inches or less therebetween and run in a first direction and are placed from a first end of said panel to a first opposite end thereof in a second direction perpendicular to said first direction and in which the lines of the second set have said a second distance of 2 inches or less therebetween which is different from said first distance and run in

said second direction and are placed from a second end of said panel to a second opposite end thereof in said first direction.

19. (Original) A panel according to claim 18, wherein said distance has a value of 1 inch or less.

20. (Currently Amended) In a method for fabricating a relatively thin frame covering panel adapted to be attached to a number of supports, the improvement comprising the step of fabricating said panel to include a side having a number of marks arranged in first and second sets of substantially parallel lines in which one or more of said lines is adapted for facilitating the attaching of said panel to said number of supports, in which the lines of the first set have a first distance of 2 inches or less therebetween and run in a first direction and are placed from a first end of said panel to a first opposite end thereof in a second direction perpendicular to said first direction and in which the lines of the second set have ~~said~~ a second distance of 2 inches or less therebetween which is different from said first distance and run in said second direction and are placed from a second end of said panel to a second opposite end thereof in said first direction.

21. (Original) A method according to claim 20, wherein said distance has a value of 1 inch or less.

22. (Canceled)

23. (Previously Presented) A relatively thin frame covering panel adapted to be attached to a number of supports, said panel having at least two sides in which at least one of said sides includes a number of marks for facilitating the attaching of said panel to said number of supports, wherein said number of marks are arranged in substantially parallel lines having a distance which has any value up to 2 inches therebetween and in which said lines are placed from one end of said panel to an opposite end thereof in a direction transverse to the extent of said lines.

24. (Previously Presently) A relatively thin frame covering panel adapted to be attached to a number of supports, said panel having at least two sides in which at least one of said sides includes a number of marks for facilitating the attaching of said panel to said number of supports, wherein said number of marks are arranged in first and second sets of substantially parallel lines in which the lines of the first set have a distance of any value up to 2 inches or less therebetween and run in a first direction and are placed from a first end of said panel to a first opposite end thereof in a direction transverse to the extent of said lines of said first set and in which the lines of the second set have a distance of any value up to 2 inches or less therebetween and run in a second direction perpendicular to said first direction and are placed from a second end of said panel to a second opposite end thereof in a direction transverse to the extent of said lines of said second set.

25. (Previously Presented) A relatively thin frame covering panel adapted to be attached to a number of supports, said panel including a side having a number of marks arranged in a plurality of substantially parallel lines in which one or more of said lines being adapted for

facilitating the attaching of said panel to said number of supports, wherein said lines have a distance which has any value up to 2 inches or less therebetween and in which said lines are placed from one end of said panel to an opposite end thereof in a direction transverse to the extent of said lines.—

26. (Previously Presented) In a method for fabricating a relatively thin frame covering panel adapted to be attached to a number of supports, the improvement comprising the step of fabricating said panel to include a side having a number of marks arranged in a plurality of substantially parallel lines in which one or more of said lines is adapted for facilitating the attaching of said panel to said number of supports and in which said lines have a distance which has any value up to 2 inches or less therebetween and in which said lines are placed from one end of said panel to an opposite end thereof in a direction transverse to the extent of said lines.

27. (Previously Presented) A relatively thin frame covering panel adapted to be attached to a number of supports, said panel including a side having a number of marks arranged in first and second sets of substantially parallel lines in which one or more of said lines is adapted for facilitating the attaching of said panel to said number of supports, in which the lines of the first set have a distance of any value up to 2 inches or less therebetween and run in a first direction and are placed from a first end of said panel to a first opposite end thereof in a second direction perpendicular to said first direction and in which the lines of the second set have said distance of any value up to 2 inches or less therebetween and run in said second direction and are placed from a second end of said panel to a second opposite end thereof in said first direction.

28. (Previously Presented) In a method for fabricating a relatively thin frame covering panel adapted to be attached to a number of supports, the improvement comprising the step of fabricating said panel to include a side having a number of marks arranged in first and second sets of substantially parallel lines in which one or more of said lines is adapted for facilitating the attaching of said panel to said number of supports, in which the lines of the first set have a distance which has any value up to 2 inches or less therebetween and run in a first direction and are placed from a first end of said panel to a first opposite end thereof in a second direction perpendicular to said first direction and in which the lines of the second set have said distance which has any value up to 2 inches or less therebetween and run in said second direction and are placed from a second end of said panel to a second opposite end thereof in said first direction.--